



SOBEL PEVZNER, LLC

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November 23, 2022

VIA ECF

Hon. Magistrate Judge Barbara Moses
 U.S. District Court, Southern District of N.Y.
 Daniel Patrick Moynihan Courthouse
 500 Pearl Street, Room 740
 New York, NY 10007

MEMO ENDORSED

RE: *Acosta v. JP Morgan Chase, et al.*
 Case No.: 1:21-cv-01591-LJL
Our File No.: 15803-JLL

Dear Magistrate Judge Moses:

Please be advised that Sobel Pevzner, LLC represents Jones Lang LaSalle Americas, Inc. ("JLL") with respect to the above matter. We make this letter motion pursuant to your Individual Practice Rules to respectfully request an adjournment of the settlement conference in this matter, which is currently scheduled for Monday, December 5, 2022 at 2:15 p.m. All parties have consulted and hereby consent to the requested adjournment.

To date, the parties have been diligent in completely discovery as per the Case Management Plan. All parties have appeared for depositions, with the last named defendant's deposition being completed on November 21, 2022. And while plaintiff has appeared for a physical examination, the parties have yet to receive the report from the examining physician. Moreover, this office just received responses to our post deposition discovery demands this morning from plaintiff, which includes authorizations for ambulance records and other medical providers, which now need to be processed.

Following the deposition on November 21, 2022, plaintiffs of counsel advised defendants of nearly \$200,000 in funding liens and other liens associated with this action. Plaintiff has yet to provide any documentation relating to these liens. Lastly, defendants have requested information regarding a photograph exchanged by plaintiff of the alleged defective condition that caused her accident. We have been advised by counsel for JPMorgan Chase that they are in the process of preparing a motion to compel/preclude the image file for this photograph and to extend the discovery deadline in the Case Management Plan in order to engage in expert depositions of plaintiff's treating doctor(s).

Without the benefit of the aforementioned discovery, we feel that a settlement conference at this time would be fruitless. We wish to be better position with all necessary discovery available in order to engage in meaningful settlement discussions during the conference. There has been on prior adjournment of the settlement conference on consent of all parties due to the addition of several newly added parties which resulted in further discovery.



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At this time, we are providing the Court with proposed dates of: February 6, February 12, and February 2023. The aforementioned dates are all dates in which counsel are available. However, all parties are amenable to dates provided by the Court for the settlement conference. We thank you for your attention and courtesies in this matter.

Very truly yours,

SOBELPEVZNER, LLC

Nicole Licata-McCord

NICOLE LICATA-MCORD, ESQ.

NLM:lml

cc: *Via ECF*
The Hamel Firm
Wilson Elser
Vigorito Barker
Vigorito Barker
O'Connor Redd Orlando

Application GRANTED. The December 5, 2022 settlement conference is ADJOURNED to **February 6, 2023, at 2:15 p.m.** The parties shall submit their confidential settlement letters, in accordance with ¶ 3 of the settlement conference scheduling order (Dkt. 52), no later than **January 30, 2023**. SO ORDERED.

A handwritten signature in blue ink, appearing to read "Barbara Moses".

Barbara Moses
United States Magistrate Judge
November 28, 2022